

**REMARKS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, and the remarks that follow as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes and remarks are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 39-42, 44-49, 51, 52 and 54 are pending. Claims 39, 44, 51, 52 and 54 are amended, without prejudice. No new matter is added by these amendments. Support for the amended recitations in the claims is found throughout the specification.

Claims 39-42, 44-49, 51, 52 and 54 were rejected under 35 U.S.C. 103(a) allegedly as being unpatentable over Daughters et al. (U.S. Patent No. 4,742,215) in view of Tuttle et al. (U.S. Patent No. 5,988,510). Applicants disagree.

Claim 39, recites in part, “An information processing device...comprising...means for generating a check code to check whether the management information has been tampered with by a non-authorized user, wherein said encrypting means encrypts the check code together with the management information.” (Underlining and Bold added for emphasis.)

It is respectfully submitted that the portions of Daughters and Tuttle relied upon by the Examiner neither disclose, suggest or motivate a skilled artisan to practice at least the above-recited feature of claim 39.

Daughters relates to an IC information card system, which prevents the dissemination of knowledge of access codes (column 3, lines 10-16). The instantly claimed invention, by contrast, provides for means for generating a check code to check whether the management information has been tampered with by a non-authorized user, wherein an encrypting means encrypts the check code together with the management information, as instantly claimed.

Daughters discloses a check byte that “is used to detect distorted data in a data record” (column 9, lines 41-49). Therefore, the check byte of the IC card “checks the integrity of the data” in order to determine and record whether or not there are any defective locations within the data. In contrast, the check code of the present invention is used to prevent un-authorized users from accessing certain data stored in the information processing device. Furthermore, the check code of the present invention is encrypted with the management information. Daughters does not encrypt the check byte.

Tuttle relates to protecting data on smart cards (column 1, lines 5-8). However, Tuttle does not teach or suggest a check code to check whether management information has been tampered with by a non-authorized user, nor an encrypting means for encrypting the check code. Specifically, Tuttle does not mention anything concerning check codes and is not concerned with check codes because Tuttle utilizes passwords (as opposed to check codes) to deny access to certain users (column 6, lines 5-21).

Therefore, the instant claims are believed to be distinguishable from the applied combination of Daughters and Tuttle for at least the reasons stated above.

For reasons similar to those described above, claims 44, 51, 52 and 54 are also believed to be distinguishable from the applied combination of Daughters and Tuttle.

Claims 40-42 and 45-49 depend from one of claims 39, 44, 51, 52 and 54 and, due to such dependency, are also believed to be distinguishable from the applied combination of Daughters and Tuttle for at least the reasons previously described.

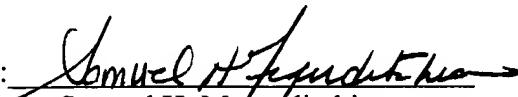
Applicants therefore respectfully request that the rejection of claims 39-42, 44-49, 51, 52 and 54 under 35 U.S.C. §103(a) over Daughters and Tuttle be withdrawn.

The Examiner has apparently made of record, but not relied upon, a number of documents. The applicants appreciate the Examiner's explicit finding that these documents, whether considered alone or in combination with others, do not render the claims of the present application unpatentable.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicant(s)

By:

  
Samuel H. Megerditchian  
Reg. No. 45,678  
Tel. (212) 588-0800